

Brett E.J. Gorman, Esquire
P: 856-985-4051
F: 856-810-5852
bgorman@parkermccay.com

November 24, 2014

File No. 12414-0613

Honorable Noel L. Hillman, U.S.D.J.
Mitchell H. Cohen Bldg. and US Courthouse
4th and Cooper Streets, Courtroom 4D
Camden, NJ 08101

Re: Ervin Mears Jr., et al v. Board of Education of the Sterling Regional High School, et al
1:1.3-cv-03154-NLH-JS

Dear Judge Hillman:

As you are aware, this office represents the interests of the Sterling Regional High School District Board of Education (hereinafter “District”) in the above referenced matter. The District is in receipt of the “Motion to Appoint Counsel” filed by Plaintiffs.

By way of background, Plaintiffs attempted to file what, in essence, was a Motion for Leave to File an Amended Complaint, after its original Complaint was dismissed by the Court. The District opposed this Motion for Leave to File an Amended Complaint and, on October 22, 2014, the Court denied Plaintiff’s Motion. Additionally, the Court ordered that Plaintiffs had thirty (30) days to “become represented by counsel in order to properly prosecute M.M.’s claims,” or “re-file a Motion for Leave to File an Amended Complaint to advance only the claims of Ervin Mears Jr., if he can meritoriously do so.” (Document 21).

On November 18, 2014, Plaintiffs filed what is captioned a “Motion to Appoint Counsel” which does nothing but criticize the Court’s order. However, Plaintiffs have not complied with the Courts order as M.M. is not represented by counsel and Ervin Mears, Jr. has not filed a complaint in his own capacity. Therefore, Plaintiffs have failed to comply with the Court’s order within the required timeframe and, accordingly, the District respectfully requests that the above matter be dismissed with prejudice for the reasons set forth in its brief in opposition to Plaintiffs’ Motion for Leave to File an Amended Complaint.

Respectfully submitted,

/s/ Brett E.J. Gorman

BRETT E.J. GORMAN

BEJG/cb

cc: Ervin Mears, Jr. (via first class mail)
Mark Napoleon, Superintendent (via e-mail & first class mail)